

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**UNITED STATES OF AMERICA**  
**Plaintiff,**

**v.**

**Case No. 05-CR-311**

**BORIS ALEXEEV**  
**Defendant.**

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**ORDER**

I sentenced defendant Boris Alexeev to a split sentence of 12 months: 6 months prison followed by 6 months of home confinement on electronic monitoring. Defendant now requests that he be granted credit for the time he spent on electronic monitoring as a condition of pre-trial release against the home detention portion of the sentence.

District courts do not award sentence credit, United States v. Wilson, 503 U.S. 329 (1992), and in any event the Supreme Court has held that time spent in home or community confinement as a condition of pre-trial release does not entitle the defendant to sentence credit, Reno v. Koray, 515 U.S. 50 (1995). District courts also generally lack the authority to modify sentences long after their imposition. See, e.g., United States v. Romandine, 206 F.3d 731, 735 (7th Cir. 2000). Therefore, the request for credit must be dismissed.

To the extent that defendant wants me to modify his conditions of supervised release, which the court generally may do at any time prior to expiration of the term of supervision, see 18 U.S.C. § 3583(e)(2), I decline to do so.<sup>1</sup> For the reasons set forth in my sentencing

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<sup>1</sup>I imposed the 6 months of home confinement as a condition of defendant's supervised release.

memorandum, a total sentence of 12 months is necessary to satisfy the purposes of sentencing under 18 U.S.C. § 3553(a) in this case.

**THEREFORE, IT IS ORDERED** that defendant's Petition for Time Served Credit is **DISMISSED** and/or **DENIED**.<sup>2</sup>

Dated at Milwaukee, Wisconsin, this 20th day of January, 2009.

/s Lynn Adelman

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LYNN ADELMAN  
District Judge

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<sup>2</sup>Defendant also requests copies of certain court records. I will ask the clerk to forward copies of these documents with this decision.